

PATENT COOPERATION TREATY
PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 29312-0106	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/CA 00/ 01112	International filing date (day/month/year) 25/09/2000	(Earliest) Priority Date (day/month/year) 24/09/1999
Applicant VASOGEN IRELAND LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

COMBINATION OF A STATIN AND EX-VIVO TREATED BLOOD FOR TREATING ARTEROCLEROSIS

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.



None of the figures.



as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1, 2, 4-10, 17-20

Present claims 1, 2, 4-10 and 17-20 relate to a compound defined by reference to a desirable characteristic or property, namely "cholesterol lowering drug".

The claims cover all compounds having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such products/compounds/methods/apparatus. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the product/compound/method/apparatus by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the compounds individually structurally identified by name in the claims, with due regard to the therapeutic application mentioned in the claims.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/00/01112

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K35/14 /// (A61K35/14, 31:44), (A61K35/14, 31:405), (A61K35/14, 31:40), (A61K35/14, 31:365), (A61K35/14, 31:22)

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, CHEM ABS Data, BIOSIS, CANCERLIT, MEDLINE, EMBASE, PAJ, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 98 07436 A (VASOGEN INC) 26 February 1998 (1998-02-26) claims & US 5 980 954 A 9 November 1999 (1999-11-09) cited in the application ---	1-20
Y	WO 99 13890 A (RECH DU CENTRE HOSPITALIER DE ;VASOGEN IRELAND LIMITED (IE)) 25 March 1999 (1999-03-25) claims ---	1-20
P, Y	WO 00 29003 A (STEWART DUNCAN J ;VASOGEN IRELAND LIMITED (IE)) 25 May 2000 (2000-05-25) claims --- -/--	1-20



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

G document member of the same patent family

Date of the actual completion of the international search

26 March 2001

Date of mailing of the international search report

11/04/2001

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Leherte, C

INTERNATIONAL SEARCH REPORT

International Application No

PCT/90/01112

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 96 34613 A (VASOGEN INC ;BOLTON ANTHONY ERNEST (GB); COOKE ERNEST DAVIDSON (GB) 7 November 1996 (1996-11-07) claims ---	1-20
Y	J E F REYNOLDS: "Martindale, The Extra Pharmacopoeia, Thirty-second Edition", LONDON, ROYAL PHARMACEUTICAL SOCIETY, GB, VOL. ED. 32, PAGE(S) 1268, 1269, 1273, 1275, 1277-1279 XP002163086 ISBN: 0-85369-342-0 Atorvastatin, cerivastatin, lovastatin, fluvastatin, pravastatin, simvastatin -----	1-20

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/00/01112

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9807436 A	26-02-1998	US 5980954 A AU 724265 B AU 3844297 A EP 0920322 A JP 2000517302 T	09-11-1999 14-09-2000 06-03-1998 09-06-1999 26-12-2000
WO 9913890 A	25-03-1999	CA 2218625 A AU 9148098 A EP 1011696 A US 6136308 A	12-03-1999 05-04-1999 28-06-2000 24-10-2000
WO 0029003 A	25-05-2000	AU 1145000 A	05-06-2000
WO 9634613 A	07-11-1996	AU 721530 B AU 5494496 A EP 0768886 A JP 10506636 T	06-07-2000 21-11-1996 23-04-1997 30-06-1998